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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,488	10/20/2003	Mohammad T. Khalid	CE11095JI260	7870

7590 10/05/2005

Scott M. Garrett
Motorola, Inc.
Law Department
8000 West Sunrise Boulevard
Fort Lauderdale, FL 33322

EXAMINER

LEE, JOHN J

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/689,488	Applicant(s) KHALID ET AL.	
	Examiner JOHN J. LEE	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION:

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments/Amendment

1. Applicant's arguments with respect to claims 1 – 16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-3, 6, 8, 9-11, 14, 16, 17, and 19** are rejected under 35 U.S.C. 102(e) as being anticipated by Matsumoto (US 2003/0228847).

Regarding **claims 1 and 9**, Matsumoto discloses that a multi-configuration electronic device (mobile telephone) (Fig. 2 and pages 2, paragraphs 27 – 29). Matsumoto teaches that a first body portion (rotation supporting section (10) in Fig. 3) having a display module, the display module rotatable mounted in the first body portion and having a viewing surface (display section (11) in Fig. 3) (Fig. 3 and pages 2, paragraphs 31 – pages 3, paragraphs 36, where teaches a upper body portion (rotation support section) has a display section which is rotatably mounted in the upper body portion (rotation support section)). Matsumoto teaches that a second body (main body portion in Fig. 2) portion hingeably connected to the first body portion (Fig. 2, 3 and pages 2, paragraphs 40 – pages 3, paragraphs 48, where teaches the main body portion

hingeably connected to upper body portion). Matsumoto teaches that the first and second body portions move relative to each other into an open and a closed position (Fig. 2, 3 and pages 2, paragraphs 40 – pages 3, paragraphs 48, where teaches the folder unit is folded and unfolded in a folding direction closed and open position). Matsumoto teaches that the display module (62 in Fig.3) rotates in the first body portion automatically so that it can be seen in either the open or closed position (Fig. 3, 4 and pages 3, paragraphs 36 – 42, where teaches the display section rotates in first body portion automatically for viewing in either the open or closed position) and where the viewing surface is aligned with an outside surface of the first body portion when the first body portion is in the closed portion (Fig. 5, 6 and pages 3, paragraphs 43 – pages 4, paragraphs 50, where teaches the viewing surface is aligned with an outside surface of the first body portion as the first body portion is in the closed position) and is aligned with an inside surface of the first body portion when the first body portion is in the open position (Fig. 2, 3 and pages 2, paragraphs 27 – pages 3, paragraphs 36, where teaches the viewing surface is aligned with an inside surface of the first body portion as the open position).

Regarding **claims 2 and 10**, Matsumoto discloses that the display module automatically rotates about a horizontal axis with respect to the first body portion (Fig. 2, 4 and pages 3, paragraphs 36 – 42, where teaches the display section in first body portion is automatically rotated in a rotating direction horizontal axis).

Regarding **claims 3 and 11**, Matsumoto discloses that the display module automatically rotates about a vertical axis with respect to the first body portion (Fig. 3, 4

and pages 3, paragraphs 36 – 42, where teaches the display section of upper body portion is automatically rotated in a rotating direction vertical axis (a1 to a2 direction in Fig. 4)).

Regarding **claims 6, 14, and 19**, Matsumoto discloses that the display module automatically rotates by means of a gear and axle assembly linked between the first and second body portion (Fig. 3, 4 and pages 3, paragraphs 35 – 42, where teaches the display section of upper body portion automatically rotates by motor (using electrical switch) having gears and axle assembly linked between upper body and main body portion).

Regarding **claims 8 and 16**, Matsumoto discloses that the display module automatically rotates by means of a motor (Fig. 3, 4 and pages 3, paragraphs 35 – 42, where teaches the display section of upper body portion automatically rotates by motor (using electrical switch) having gears and axle assembly linked between upper body and main body portion).

Regarding **claim 17**, Matsumoto discloses all the limitation, as discussed in claims 1 and 9. Furthermore, Matsumoto further discloses that a pair of axial bosses for rotatably supporting the display module in the body portion (Fig. 3, pages 4, paragraphs 48 – 50, and pages 2, paragraphs 31 – pages 3, paragraphs 37).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 4, 5, 7, 12, 13, 15, 18, and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto in view of Nakamura et al. (US Patent number 6,829,490).

Regarding **claims 4 and 12**, Matsumoto does not specifically disclose the limitation “the display module automatically rotates by means of a belt linked between the first and second body portions”. However, Nakamura discloses the limitation “the display module automatically rotates by means of a belt linked between the first and second body portions” (Fig. 2, 3 and column 3, lines 17 – column 4, lines 10, where teaches a belt slips connected/linked between upper body portion and main body portion). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Matsumoto structure as taught by Nakamura, provide the motivation to achieve improving connection protection for rotation and preventing banding damage in mobile terminal.

Regarding **claims 5 and 13**, Matsumoto does not specifically disclose the limitation “preventing over rotation of the display module, and wherein the belt slips once the display module is rotated into a terminal position”. However, Nakamura discloses the limitation “preventing over rotation of the display module, and wherein the belt slips once the display module is rotated into a terminal position” (column 2, lines 65 – 56 and Fig. 3, 4, where teaches preventing over the rotation of the display unit with upper body by belt slips). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Matsumoto structure as taught by

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Nakamura, provide the motivation to achieve improving connection protection for rotation and preventing banding damage in mobile terminal.

Regarding **claims 7 and 15**, Matsumoto and Nakamura disclose all the limitation, as discussed in claims 4 and 6.

Regarding **claim 18**, Matsumoto and Nakamura disclose all the limitation, as discussed in claims 4 and 5.

Regarding **claim 20**, Matsumoto and Nakamura disclose all the limitation, as discussed in claims 4 and 17.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Price et al. (US Patent number 6,795,717) discloses Communications Device Having Retractable Display Means.

Newman et al. (US 2004/0203505) discloses Transformable Mobile Station.

Information regarding...Patent Application Information Retrieval (PAIR) system... at 866-217-9197 (toll-free)."

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231
Or P.O. Box 1450
Alexandria VA 22313

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or faxed (571) 273-8300, (for formal communications intended for entry)


Or: (703) 308-6606 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to USPTO Headquarters, Alexandria, VA.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John J. Lee** whose telephone number is **(571) 272-7880**. He can normally be reached Monday-Thursday and alternate Fridays from 8:30am-5:00 pm. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, **Nay Aung Maung**, can be reached on **(571) 272-7882**. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

J.L
September 23, 2005

John J Lee

9/27/05

TILAHUN GESESSE
PRIMARY EXAMINER